

Message Text

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ACTION ARA-20

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FM AMEMBASSY BOGOTA

TO SECSTATE WASHDC 5053

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EO 11652: NA

TAGS: PFOR NU CO

SUBJ: QUITA SUENO TREATY

REF: A. STATE 179814; B. BOGOTA 8006

1. IN OUR CONVERSATION SEPT 26, THE FONMIN REFERRED TO MY CONSULTATION ON A POSSIBLE EXCHANGE OF NOTES WITH NICARAGUA RE QUITA SUENO TREATY (REF A). HE SAID THAT THE GOC'S CONCERN WAS WHAT EFFECT ANY SUCH EXCHANGE MIGHT HAVE ON THE IMPACT OF THE 1928 TREATY BETWEEN COLOMBIA AND NICARAGUA. THE GOC POSITION, AS DEPT KNOWS, IS THAT NICARAGUA IMPLICITLY RELINQUISHED ANY CLAIM TO THE CAYS IN THAT TREATY. THE MIN CLAIMED THAT THE US HAD ENCOURAGED NICARAGUA TO SIGN THE 1928 TREATY AS A COMPLEMENT AND INCENTIVE TO THE US-COLOMBIAN EXCHANGE OF NOTES OF 1928 MAINTAINING THE STATUS QUO. THE TWO THINGS ARE RELATED, HE SAID. THEREFORE THE GOC WOULD WISH TO BE SURE THAT NO NEW EXCHANGE SUCH AS THAT NOW CONTEMPLATED WOULD WEAKEN COLOMBIA'S POSITION VIS A VIS THE 1928 TREATY.

2. HE SAID HE FULLY UNDERSTOOD THE REASONS FOR OUR PROPOSAL AND DID NOT WISH TO IMPEDE OUR EFFORTS TO RATIFY THE 1972 TREATY, BUT THAT THE GOC CONCERN WAS GREAT. HE THEREFORE SAID THE GOC WOULD LIKE AN OPPORTUNITY TO REVIEW A SPECIFIC DRAFT OF ANY PROPOSED NOTE TO THE GON AS A FURTHER STEP IN OUR CONSUL-
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TATION. HE SAID HE ALSO WOULD HOPE THAT THE TEXT MIGHT SOMEHOW

TAKE INTO ACCOUNT COLOMBIA'S CONCERN THAT THE EFFECT OF THE 1928 TREATY NOT BE WEAKENED. I SAID THAT I DID NOT BELIEVE THERE WOULD BE ANY PROBLEM, AND I WOULD REFER HIS REQUEST TO WASHINGTON.

3. THE MINISTER THEN RAISED A TECHNICAL QUESTION. HE SAID THAT THERE WAS A "LIGHTHOUSE" ON SERRANA, AND THAT IT CURGPOTLY HAS ON IT A SIGN STATING "U S LIGHTHOUSE SERVICE" AND THE USUAL WARNING. HE NOTED THAT WHILE THE US NOTE (693 OF SEPT 8, 1973) AGREEING TO THE TURNING OVER OF NAVIGATIONAL AIDS TO COLOMBIA MENTIONS THE LIGHTHOUSE ON QUITA SUENO, IT DOES NOT MENTION A LIGHTHOUSE ON SERRANA. THE MINISTER NOTED THAT THE NOTE USED THE PHRASE "AYUDAS DE NAVEGACION EN RONCADOR Y SERRANA" BUT SAID IT WAS NOT CLEAR TO HIM WHETHER THAT COVERED WHAT HE CALLED THE "SERRANA LIGHTHOUSE". HE ASKED IF I WOULD CHECK TO SEE WHETHER THERE WAS SOME SPECIAL REASON FOR NOT MENTIONING "LIGHTHOUSE" AND WHETHER WE INTERPRETED THE 1972 NOTE AS COVERING IT OR NOT.

4. ACTION REQUESTED:

A) I RECOMMEND THAT WE DO CONSULT WITH LIEVANO ON A SPECIFIC DRAFT NOTE, AND REQUEST THAT DRAFT TEXT BE SENT TO ME FOR THAT PURPOSE.

B) IS IT OUR UNDERSTANDING THAT THE "LIGHTHOUSE" ON SERRANA IS COVERED BY OUR NOTE AND HENCE IS TO BE TURNED OVER TO THE GOC? (I SUSPECT LIEVANO HAS BEEN THROWN OFF BY THE SPANISH TEXT FROM WHICH HE WAS WORKING; IT USES THE TERM "AYUDAS DE NAVEGACION" WHEREAS THE ENGLISH TERM IS "NAVIGATIONAL BEACON".) IF SO I RECOMMEND WE INFORM THE GOC OF THAT BY NOTE, AND REQUEST A TEXT FOR THAT PURPOSE.
VAKY

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